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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,623	10/10/2001	Allen K. Yu	10011167	8371

7590 06/23/2005

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EXAMINER

FRANKLIN, JAMARA ALZAIDA

ART UNIT	PAPER NUMBER
	2876

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/975,623	YU, ALLEN K	
	Examiner	Art Unit	
	Jamara A. Franklin	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 May 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 13-19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 13-19 and 21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____

DETAILED ACTION

Acknowledgment is made of the amendment filed on 5/19/05. Claims 13-19 and 21 are currently pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 13 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Gobburu et al. (US 6,736,322) (hereinafter referred to as ‘Gobburu’).

Gobburu (cited in a previous office action) teaches a method for electronic ticket recognition and acceptance at a ticketed event, comprising the steps of:

facilitating purchasing of an electronic ticket from a networked ticketing computer (col. 17, lines 19-23);

downloading the electronic ticket to a portable computing device having a display output, wherein the portable computing device is selected from the group consisting of a personal digital assistant, a laptop computer, a tablet computer, and electronic organizer, and a cell phone (WAP phone 72) (col. 17, lines 26-30);

accepting the electronic ticket by optical communication between the display output and a ticket receiving unit (col. 15, lines 4-10; and col. 15, line 66-col. 16, lines 11); and providing amenities to a ticket user based on the accepted ticket (col. 15, lines 39-42); and

the method wherein the step of providing amenities further comprises the step of providing an electronic event program via remote communications, wherein the electronic ticket allows the electronic event program to be downloaded and viewed (col. 17, lines 26-30).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gobburu in view of Freeman et al. (US 6,068,183) (hereinafter referred to as 'Freeman').

The teachings of Gobburu have been discussed above.

Gobburu lacks the specific teaching of providing certain amenities to a ticket user.

Freeman teaches a method for electronic ticket recognition and acceptance at a ticketed event comprising a step of:

providing amenities;

the method wherein the step of providing amenities further comprises the step of providing a discount for concession items available at the ticketed event via a ticket receiving unit;

the method wherein the step of providing amenities further comprises the step of providing an event map via remote communication wherein the electronic ticket allows the event map to be downloaded and activated;

the method wherein the step of providing amenities further comprises the step of providing direction to a person's seat at the ticketed event using the electronic ticket;

the method wherein the step of providing amenities further comprises the step of providing directions to a person's seat at the ticketed event based on a location of a ticket receiving unit where the person entered the ticketed event; and

the method wherein the step of providing amenities further comprises the step of providing a map that is customizable based on the electronic ticket (col. 2, lines 30-32 and col. 5, lines 53-65).

One of ordinary skill in the art would have readily recognized that giving a ticket holder access to particular services or entrances would have been beneficial to the invention of Gobburu for giving ticket holders a variety of perks that come with the purchase of a ticket, thus possibly encouraging future ticket purchases for that particular event. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Gobburu with the aforementioned teachings of Freeman to ensure future financial gains on behalf of that event.

Response to Arguments

5. Applicant's arguments, filed 5/19/05, with respect to the rejection(s) of claim(s) 13-19 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration and prompted by the newly added limitation in independent claim 13 and newly added independent claim 21, a new ground(s) of rejection is made in view of Gobburu and Gobburu in view of Freeman.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jamara A. Franklin
Examiner
Art Unit 2876

JAF
June 14, 2005


DIANE I. LEE
PRIMARY EXAMINER